

A RESOLUTION

BY FINANCE/EXECUTIVE COMMITTEE

05-K-1772

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AND A PURCHASE ORDER WITH BOMBARDIER TRANSPORTATION (HOLDINGS) USA INC., PURSUANT TO CITY CODE SECTION 2-1191 (SOLE SOURCE PROCUREMENT), FOR THE REPLACEMENT OF THE AUTOMATIC TRAIN CONTROL ASSOCIATED WITH THE AUTOMATED GUIDEWAY TRANSIT SYSTEM AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT, IN AN AMOUNT NOT TO EXCEED SEVENTEEN MILLION NINE HUNDRED FORTY THREE THOUSAND NINE HUNDRED FIFTEEN DOLLARS (\$17,943,915), ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT, AND CENTER NUMBERS 2H30 574001 R21E010993CL (2004 AIRPORT REVENUE BOND FUND B, FACILITIES OTHER THAN BUILDINGS, APM REPLACE OF ATC EQUIP, \$7,715,884) 2H27 574001 R21E010993CG (2000 AIRPORT REVENUE BOND FUND, FACILITIES OTHER THAN BUILDINGS, APM REPLACE OF ATC EQUIP, \$1,256,074), AND 2H32 574001 R21E010993CQ (2004 AIRPORT REVENUE BOND FUND F-K, FACILITIES OTHER THAN BUILDINGS, AUTOMATIC TRAIN CONTROL REPL. IP, \$8,971,957); AND FOR OTHER PURPOSES.

WHEREAS, the Automated Guideway Transit System ("AGTS") at Hartsfield-Jackson Atlanta International Airport ("Airport") is a sole source/proprietary system originally designed, fabricated, installed, operated and maintained within the Central Passenger Terminal Complex ("CPTC") under a Contract between the City of Atlanta ("City") and Westinghouse Electric Corporation ("Westinghouse"), dated April 26, 1977; and

WHEREAS, since the initial construction of the AGTS, the City's Department of Procurement has designated Westinghouse and its successors in interest, ABB Daimler-Benz, AdTranz and Bombardier Transportation (Holdings) USA Inc. ("Bombardier") as sole source providers of Operation and Maintenance Services ("O&M Services") for the AGTS, pursuant to City Code Section 2-1191; and

WHEREAS, the current Automated Train Control equipment (ATC) was installed in the late 1970s as part of the Automated People Mover (APM) system for the Airport; and

WHEREAS, much of this original ATC equipment is now obsolete and needs to be replaced in order to insure that the APM system continue to provide the high level of service the Airport and its passengers depend on; and

WHEREAS, as the designer of the existing APM and as the present O&M Contractor, Bombardier's first-hand knowledge of the existing ATC System and the multitude of interfaces to other AGTS elements as well as their familiarity with DOA's operation and requirements, makes them uniquely qualified to

replace the ATC system with the minimum risk to AGTS operations and service;
and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor is authorized to execute, on behalf of the City, a Contract and a Purchase Order with Bombardier for the Automatic Train Control replacement project at the Airport in and amount not to exceed \$17,943,915.

BE IT FURTHER RESOLVED, that all contracted work shall be paid from Fund Account and Center Numbers:

2H27 574001 R21E010993CG	\$1,256,074
2H30 574001 R21E010993CL	7,715,884
2H32 574001 R21E010993CQ	8,971,957

BE IT FURTHER RESOLVED, that the City Attorney is directed to prepare an appropriate Contract for execution by the Mayor.

BE IT FURTHER RESOLVED, that the Contract will not become binding upon the City and it will incur no liability under it until it has been executed by Bombardier and the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form, and delivered to Bombardier.

Legislative White Paper

Committee of Purview: Finance/Executive

Caption

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AND A PURCHASE ORDER WITH BOMBARDIER TRANSPORTATION (HOLDINGS) USA INC., PURSUANT TO CITY CODE SECTION 2-1191 (SOLE SOURCE PROCUREMENT), FOR THE REPLACEMENT OF THE AUTOMATIC TRAIN CONTROL ASSOCIATED WITH THE AUTOMATED GUIDEWAY TRANSIT SYSTEM AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT, IN AN AMOUNT NOT TO EXCEED SEVENTEEN MILLION NINE HUNDRED FORTY THREE THOUSAND NINE NUNDRED FIFTEEN DOLLARS (\$17,943,915), ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT, AND CENTER NUMBERS 2H30 574001 R21E010993CL (2004 AIRPORT REVENUE BOND FUND B, FACILITIES OTHER THAN BUILDINGS, APM REPLACE OF ATC EQUIP, \$7,715,884), 2H27 574001 R21E010993CG (2000 AIRPORT REVENUE BOND FUND, FACILITIES OTHER THAN BUILDINGS, APM REPLACE OF ATC EQUIP, \$1,256,074), AND 2H32 574001 R21E010993CQ (2004 AIRPORT REVENUE BOND FUND F-K, FACILITIES OTHER THAN BUILDINGS, AUTOMATIC TRAIN CONTROL REPL. IP, \$8,971,957); AND FOR OTHER PURPOSES

Council Meeting Date: October 3, 2005

Legislation Title: Authorization to execute a Contract and a Purchase Order with Bombardier for the Automatic Train Control replacement project at the Airport in and amount not to exceed \$17,943,915.

Requesting Dept.: Department of Aviation

Contract Type: Design/Install Contract

Source Selection: Sole Source procurement pursuant to City Code Section 2-1191 (sole source procurement)

Bids/Proposals Due: N/A

Invitations Issued: N/A

**Number of Bids/
Proposals Received:** N/A

Bidders/Proponents: N/A

Justification Statement: The purpose of this Project is to replace the obsolete Automatic Train Control Equipment at "Old Central" which has been in operation since the airport opened in 1980. Replacement parts for this equipment are no longer available which translates to a

significant risk to the ongoing reliable operation of the APM System.
This Project has two Phases:

Phase 1, which was completed in May 2004, included hiring a Train Control Consultant (Lee + Elliott) to evaluate what was obsolete and recommend procurement options. This resulted in the current approach, which is to replace the obsolete ATC equipment with new OEM (Bombardier) ATC equipment. This was selected as the least expensive and least risky approach.

Phase 2 includes: Develop the Technical specification and procurement documents (Completed 10/04)

Negotiate and execute a contract with the OEM supplier (in progress).

Furnish, Install, and commission the replacement ATC equipment

Fund Account Center:

2H30 574001 R21E010993CL (2004 AIRPORT REVENUE BOND FUND B, FACILITIES OTHER THAN BUILDINGS, APM REPLACE OF ATC EQUIP) IN THE AMOUNT OF \$7,715,884, 2H27 574001 R21E010993CG (2000 AIRPORT REVENUE BOND FUND,

FACILITIES OTHER THAN BUILDINGS, APM REPLACE OF ATC EQUIP) IN THE AMOUNT OF \$1,256,074, AND 2H32 574001 R21E010993CQ (2004 AIRPORT REVENUE BOND FUND F-K, FACILITIES OTHER THAN BUILDINGS, AUTOMATIC TRAIN CONTROL REPL. IP)

Source of Funds:

See Above

Fiscal Impact:

\$17,943,915

Term of Contract:

2 Years

Method of Cost Recovery:

CPTC Lease

Approvals:

DOF: Yes

DOL: Yes

Prepared By:

Andy Orr



Shirley Franklin
Mayor

Benjamin R. DeCosta
Aviation General Manager

MEMORANDUM

TO: Adam L. Smith, Chief Procurement Officer
Department of Procurement

FROM: Benjamin R. DeCosta, Aviation General Manager
Department of Aviation *B.R.D.*

DATE: July 1, 2005

SUBJECT: Hartsfield-Jackson Development Program
Sole Source for Bombardier Transportation (Holding) USA, Inc. -
Automated Train Control Equipment for the Upgrade of the Automated
People Mover System at Hartsfield-Jackson Atlanta International Airport

In accordance with the City of Atlanta Code of Ordinances, Chapter 2 Administration, Article X Procurement and Real Estate Code, Division 4, Source Selection and Contract Formation, Section 2-1191 Sole Source Procurement, we forward the following justification to support the Sole Source Procurement of professional services for the above-referenced project.

As you are aware, in 1980 the City originally purchased from Bombardier (and its predecessors, Westinghouse, ABB Daimler-Benz and AdTranz) the Automated Guideway Transit System (AGTS) at the airport, including several expansions of the system over the years. Additionally, since that time, Bombardier and its predecessors have been designated as sole source providers for Operation and Maintenance (O&M) services for the AGTS. This designation was made by the City for Agreements executed in 1985, 1988, 1996 and 1998.

The current Automated Train Control equipment (ATC) was installed in the late 1970s as part of the Automated People Mover (APM) system for the Hartsfield-Jackson Atlanta International Airport (H-JAIA). Much of this original equipment is now obsolete and needs to be replaced. All the original trains were replaced in 2001 under a sole source authorization, and in order to insure that the APM system continue to provide the high level of service the Airport and its passengers depend on, the original ATC system must also be upgraded.

In addition to the historical designation of Bombardier and its predecessors as sole source providers, at present, most of the APM system is proprietary including equipment, software and other drawings and documentation. Since Bombardier is the owner of such proprietary information, it is currently the only source for the required ATC replacement equipment at H-JAIA. By not designating Bombardier as a sole source, the City would be required to replace virtually the entire ATC system at a significantly higher cost to the City.



Adam L. Smith
Chief Procurement Officer
Re: Sole Source Designation
July 1, 2005
Page Two

As the designer of the existing APM and as the present O&M Contractor, Bombardier's intimate knowledge of the existing ATC System and the multitude of interfaces to other system elements as well as their familiarity with DOA's operation and requirements, makes them uniquely qualified to replace the ATC system with the minimum risk to system operations and service.

In addition to being a sole source of the O&M services required by the DOA, Bombardier is uniquely qualified to provide such services, and is currently successfully providing those services to other major airports as well as at the H-JAIA.

We are confident that recommending Bombardier as the company to perform the required system modifications to upgrade the ATC system is in the best interest of the City and the H-JAIA.

If additional information is required, please contact John Kapala at 404-530-5707.

cc: Mario Diaz
Dan Molloy
John Boatright
Debbie Bearden
Robert Caput
John Orr
John Kapala
Philip Keller
Document Control
File



CITY OF ATLANTA

SUITE 1790

55 TRINITY AVENUE, SW

ATLANTA, GA 30303

(404) 330-6204 Fax: (404) 658-7705

Internet Home Page: www.atlantaga.gov

Shirley Franklin
Mayor

DEPARTMENT OF PROCUREMENT

Adam L. Smith, Esq.

Chief Procurement Officer

asmith@atlantaga.gov

MEMORANDUM

TO: Benjamín DeCosta
Aviation General Manager

FROM: Adam L. Smith 

RE: **Sole Source Authorization for Automated Train Control Equipment for
Upgrade of the Automated People Mover System**

DATE: September 13, 2005

I am in receipt of your Sole Source Procurement request for the Automated Train Control Equipment (ATC) for upgrade of the Automated People Mover System (APM). As stated in your request, in 1980 the City of Atlanta (the "City") originally purchased the Automated Guideway Transit System (AGTS) from Bombardier and its predecessors, Westinghouse, ABB Daimler-Benz and ADTranz that included several expansions over the years.

Also stated in your request, Bombardier and its predecessors have been designated as a Sole Source Procurement since the AGTS purchase and remained the sole source designee for the Operations and Maintenance (O&M) services for the AGTS. This designation was made by the City for Agreements executed in 1985, 1988, 1996 and 1998.

As further stated in your request, the current ATC equipment was installed in the late 1970's as part of the APM system at Hartsfield-Jackson Atlanta International Airport and most of the original equipment installed is now obsolete and needs to be replaced. All of the original trains were replaced in 2001 under a sole source authorization and to insure that the APM system continues to provide the high level of service to the airport and its passengers, the original ATC system must be upgraded.

As further stated in your request, Bombardier and its predecessors historical designation as sole source provider of services, for the APM system is proprietary including equipment, software and other drawings and documents and is the owner of such proprietary information for the ATC replacement equipment.

MEMORANDUM

TO: Benjamin DeCosta
FROM: Adam L. Smith
RE: **Sole Source Authorization for Automated Train Control Equipment for
Upgrade of the Automated People Mover System**
DATE: September 13, 2005
PAGE: 2

As the designer of the APM system and the current O&M Contractor, Bombardier's knowledge of the existing APM system and the multitude of interfaces to other system elements as well as familiarity with Department of Aviations operations and requirements make them uniquely qualified to upgrade the ATC system with minimum risk to the system operations and services.

As further stated and based on our findings, it would be in the best interest of the City to continue to use Bombardier as the sole source provider to provide required modifications to upgrade the ATC system. I have determined that your request meets the provisions of § 2-1191, Sole Source Procurement, of the Atlanta Code of Ordinances. Therefore, am recommending Bombardier as the sole source provider to perform the required upgrades to the ATC system.

If you have any questions or need additional assistance, please contact Girard Geeter, Deputy Chief Procurement Officer, at 404-330-6673.

ALS/GG/jab

cc: Mr. Mario Diaz
Mr. Dan Molloy
Mr. John Boatright
Robert Caput, Esq.
Mr. John Orr
Mr. John Kapala
Ms. Debbie Bearden
Mr. Philip Keller

TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office: Greg Pridgeon

General Manager's Signature: _____

From: Originating Dept. Aviation

Committees of Purview: Fin./Exec.

Committee Meeting Dates: 09/28/05

Contact: Anita Williams 404-530-6600

Committee Deadline: 09/16/05

Council Meeting: 10/03/05

CAPTION:

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AND A PURCHASE ORDER WITH BOMBARDIER TRANSPORTATION (HOLDINGS) USA INC., PURSUANT TO CITY CODE SECTION 2-1191 (SOLE SOURCE PROCUREMENT), FOR THE REPLACEMENT OF THE AUTOMATIC TRAIN CONTROL ASSOCIATED WITH THE AUTOMATED GUIDEWAY TRANSIT SYSTEM AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT, IN AN AMOUNT NOT TO EXCEED SEVENTEEN MILLION NINE HUNDRED FORTY THREE THOUSAND NINE HUNDRED FIFTEEN DOLLARS (\$17,943,915), ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT, AND CENTER NUMBERS 2H30 574001 R21E010993CL (2004 AIRPORT REVENUE BOND FUND B, FACILITIES OTHER THAN BUILDINGS, APM REPLACE OF ATC EQUIP, \$7,715,884) 2H27 574001 R21E010993CG (2000 AIRPORT REVENUE BOND FUND, FACILITIES OTHER THAN BUILDINGS, APM REPLACE OF ATC EQUIP, \$1,256,074), AND 2H32 574001 R21E010993CQ (2004 AIRPORT REVENUE BOND FUND F-K, FACILITIES OTHER THAN BUILDINGS, AUTOMATIC TRAIN CONTROL REPL. IP, \$8,971,957); AND FOR OTHER PURPOSES.

BACKGROUND/DISCUSSION:

The purpose of this Project is to replace the obsolete Automatic Train Control Equipment at "Old Central" which has been in operation since the airport opened in 1980. Replacement parts for this equipment are no longer available which translates to a significant risk to the ongoing reliable operation of the APM System.

FINANCIAL IMPACT: \$17,943,915.00

SOURCE: Bond Fund and R&E

Mayor's Staff Only: _____

Received by Mayor's Office: 9/12/05

(Date)

Reviewed: _____

(Initials)

(Date)

Submitted to Council: _____

(Date)

Action by Committee: _____ Approved _____ Adversed _____ Held

_____ Amended _____ Substitute _____ Referred _____ Other